

Davis, Tom
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Goode
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Herse
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hoyer
Inlee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind

Klecza
Kucinich
Lampson
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel

Reyes
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabó
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sherman
Simmons
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wolf
Woolsey
Wu
Wynn

NOES—223

Aderholt
Akin
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bono
Boozman
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Cardoza
Carter
Case
Castle
Chabot
Chocoma
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane

Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
DeFazio
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dooley (CA)
Doolittle
Dreier
Duncan
Ehlers
Emerson
English
Feeney
Ferguson
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger

Hobson
Hoekstra
Hooley (OR)
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Majette
Manzullo
Marshall
Matheson
McCotter
McCrery
McKeon
Mica
Miller (MI)
Miller, Gary

Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Putnam

Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shinkus
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)

Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Velázquez
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—29

Ackerman
Alexander
Baker
Ballenger
Berkley
Boehlert
Bonner
Cannon
Conyers
Crowley

Deal (GA)
Dunn
Engel
Everett
Gallegly
Hensarling
John
Johnson, E. B.
Kennedy (RI)
Langevin

McInnis
Miller (FL)
Nethercutt
Obey
Schrock
Serrano
Slaughter
Tauzin
Taylor (MS)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1253

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. NETHERCUTT. Mr. Chairman, I was unavoidably detained due to a prior obligation and missed the following votes. Had I been present I would have voted "yea" on rollcall vote No. 454 on agreeing to the Kelly amendment to H.R. 5025; "yea" on rollcall vote No. 453 on agreeing to the DeLauro amendment to H.R. 5025; "nay" on rollcall vote No. 455 on agreeing to the Hefley amendment to H.R. 5025; "nay" on rollcall vote No. 456 on agreeing to the Moran amendment to H.R. 5025.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Chairman, I was unable to be present for rollcall votes 452, 453, 454, 455, and 456. Had I been present, I would have voted "aye" on rollcall votes 452, 453, 454, and 456. I would have voted "nay" on rollcall vote 455.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, on Tuesday, September 14, 2004, I was granted an official leave of absence as a result of my illness. Therefore, I was unable to make rollcall votes 455 to 456. I ask unanimous consent that my statement appear in the RECORD that had I been here, I would have voted "no" for rollcall No. 455, the Hefley Amendment; "yes" for rollcall No. 456, the Moran Amendment.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr.

KLING) having assumed the chair, Mr. LATOURETTE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5025, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDING LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5025, DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS ACT

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that the order of the House of yesterday regarding further consideration of H.R. 5025 in the Committee of the Whole be amended to strike any provision for the amendment by the gentleman from Arizona (Mr. FLAKE) regarding Cuba.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the distinguished minority whip the schedule for the week to come.

Mr. BLUNT. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Missouri.

Mr. BLUNT. Mr. Speaker, next week the House will convene on Tuesday at 12:30 for morning hour debates and 2 p.m. for legislative business. We will consider several matters under the suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes we have on Tuesday will be after 6:30 p.m. We also expect to complete consideration of H.R. 5025, the Transportation-Treasury appropriations bill, on Tuesday afternoon.

In addition, next week we expect to consider H.R. 2028, the Pledge Protection Act; and finally, as we approach

the end of this Congress, it is important to take note that we have a number of conference reports that we are working through. Members should expect votes on those at any time.

Mr. HOYER. Mr. Speaker, I thank the gentleman for those comments.

Apparently we are going to do some suspension bills on Tuesday, and then we will go back to the Transportation-Treasury appropriation bill?

Mr. BLUNT. Yes, that is the schedule at this time.

Mr. HOYER. Mr. Speaker, my question is in light of the fact that general debate and most of the bill has been objected to or much it has been objected to, there are still pending amendments. At what time do we need to advise Members who have amendments that are pending that they must be here? Obviously we are starting at 2. There are suspension bills, but can we give them some perhaps target time that they should be here to protect themselves in the offering of those amendments?

Mr. BLUNT. Mr. Speaker, I appreciate the gentleman's question, and I would say while we do have some suspension bills scheduled, sometimes they can go quicker than at other times. I know Members with amendments would not want to see an opportunity to offer those amendments pass by. If I had an amendment, I would be here not much after 2. I know at one time today the chairman had to ask Members to come to the floor because the bill had moved much quicker than expected.

Mr. HOYER. Mr. Speaker, I will so advise Members.

Mr. Whip, you indicated some of the legislation we are going to consider, and you did not specifically mention Friday. Can the gentleman advise us at this time what the intention is for Friday of next week?

Mr. BLUNT. At this point we are still scheduled to work on Friday because of the number of conference committee reports that are out there that we hope to see come to some conclusion, maybe some next week, and we would be working Friday. If that does not appear to be the case, we will try to give as much notice as possible and Friday would be a day that will be dependent on some of the conference committees coming to a conclusion.

Mr. HOYER. Mr. Speaker, assuming on Tuesday or Wednesday we pass the Transportation-Treasury bill, that will leave only the VA-HUD bill pending from the Committee on Appropriations from the House perspective. Can the gentleman advise us whether or not the VA-HUD bill may be coming to the floor next week? It was not mentioned for next week, but the week following?

Mr. BLUNT. We are still working through that and at this point the leader has not scheduled that bill for the floor.

Mr. HOYER. Are you pretty confident it will not be on the floor next week?

Mr. BLUNT. I think it is unlikely that bill would be ready for the floor by next week, but we are still working on it, and hope to get it and the rest of the appropriations work done.

Mr. HOYER. Mr. Whip, we are approximately 15 days from the end of the fiscal year. The only appropriation bill signed by the President is the defense bill, leaving 12 appropriation bills still pending. Presumably we are either going to do something that would be extraordinary, passing those bills within the time frame left to us, which I guess is 6 or 7 legislative days at most, or passing some type of CR or omnibus. Can the gentleman advise the House as to what the leadership's current thinking is on how we are going to proceed as we approach the end of the fiscal year on September 30?

Mr. BLUNT. Mr. Speaker, I would say at this point we do not expect to consider a CR next week. We would very much like to get our work done during the time between now and the time we take a break. Before we go to a CR, which we obviously have to deal with some time in that 15-day period, we would like to have a clearer picture of exactly where the process is. We are continuing to do everything we can to encourage that process to reach conclusion in every possible area and perhaps even in all possible areas, but we would like a little clearer picture than what we will have next week before we deal with a CR.

Mr. HOYER. Mr. Speaker, may I inquire of the gentleman, if a CR is needed and the appropriation bill does not move forward or some omnibus does not move forward, can the leadership inform us as to how long a period of time they may be contemplating a CR would cover?

Mr. BLUNT. Mr. Speaker, again, I think we need to wait and see where the process is, how close it is to completion before we decide what period of time to recommend that CR would go. We are working hard to complete the entire process in the shortest possible time.

□ 1300

Mr. HOYER. Reclaiming my time, we are all enthusiastic about that objective. We are now 9½ months into pursuing that objective and it has not happened yet, but perhaps it will.

But let me ask the gentleman more pointedly, I suppose, as it relates to the length of the CR, it is my understanding that there was some expression from the highest junctures of leadership in his party that a lame duck session was not particularly favored by the leadership but we hear rumors about possibly having a lame duck, that possibly being sometime in mid-November when his organization and probably ours will be scheduled. Can the gentleman shed any light on his current thinking, in light of the fact we have 15 days left to go in the fiscal year and about, I suppose, another 20 or 25 days left before we presumably will

recess or adjourn prior to the elections, as to whether or not there is a substantial probability or possibility of a lame duck session?

Mr. BLUNT. Mr. Speaker, I think it would be fair to say that in our discussions we are doing everything we can to get our work done before we take the break for the elections. It is certainly possible we might have to come back, and I believe the time the gentleman suggested for our reorganization is the time that we are intending to schedule that. If there is anything that has to be done, it would clearly be the best thing to do if we are in agreement on the time to come back, to do all those things or start all those things at least at one time. But we have been very focused across the board this week in trying to get to that goal of having this year's work done by the time we leave here sometime in October.

Mr. HOYER. A couple of other questions, if I might, Mr. Speaker.

The transportation bill is one of those conferences that the gentleman referred to that is pending that possibly will come back. If it does not come back next week, does the gentleman contemplate having an additional extension? The present extension, as the gentleman knows, expires very shortly in terms of the continuation of the previous authorization of the highway bill. Does the gentleman contemplate having another extension? And, if so, has there been discussion about how long a period of time that might be for?

Mr. BLUNT. Mr. Speaker, we are again hopeful and working hard to get the transportation bill completed. We think it is better to work toward that completion right now than to extend the deadline. The pressure of the deadline may help in that process. It certainly does not work against the process of getting the bill. I believe both our chairman on this side of the building and the ranking member are working hard, working together, as others are, and we will not be addressing the question of extension until we move a little further along and hopefully are able to bring not an extension to the floor but an agreed-to transportation bill.

Mr. HOYER. Reclaiming my time, I appreciate that objective and I want to tell the whip, as I have, I think privately, that this side of the aisle will be very supportive of, I think, any figure that the majority can agree among itself, the White House, the Senate and the House, between the House-passed bill which passed overwhelmingly in a bipartisan fashion and in fact, of course, as the gentleman knows, Democrats, Chairman YOUNG and all of the Republican members and Democratic members of the Committee on Transportation and Infrastructure believe we ought to have a substantially higher number to meet the needs of the Nation than was passed here or passed in the Senate. My representation to the

gentleman from Missouri would be that I think that the votes will be there on our side for, I hear a figure of very close to \$300 billion being mentioned. I think on this side of the aisle in talking to the gentleman from Minnesota (Mr. OBERSTAR), we will be obviously substantially influenced by what the gentleman from Minnesota recommends as our ranking member but we would be very, I think, supportive and we could forge a significant majority to send that bill down to the President and have the President consider it.

As the gentleman knows, every \$1 billion that we have in that bill creates 42,000 jobs here in America. We believe that bill is very important. We would have hoped it would have passed last year, but I want to tell my friend that he and I have the similar responsibilities of trying to count votes and I think we will have the overwhelming majority of our people for a bill. If we just split the difference between the Senate and the House, which is essentially what is being talked about, I think we would support it on this side of the aisle. I hope the gentleman's Members would support it on his side of the aisle, we send it to the President and obviously the executive, a coequal but separate branch of government, would have to make its determination as to what it wanted to do. I do not know if that is a possibility but I think we could work together in a bipartisan fashion to get that done.

I yield to my friend if he wants to make a comment.

Mr. BLUNT. I thank my friend for yielding, and I share the gentleman's sense that an overwhelming number of Members of the House would like to get this work done, get this bill done this year. Of course this would not be the place for the gentleman and I to try to negotiate a number, but I think the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Alaska (Mr. YOUNG) are both working hard to achieve a result that gets that work going and allows the States and others affected by this to begin the contracting process and even begin some of the work. I am very hopeful at this point that we will get that number agreed to, get our friends on the other side of this building moving forward with us and get agreement from the White House as they need to ultimately sign whatever bill we pass.

Mr. HOYER. Reclaiming my time, I think the gentleman has put his finger on the impasse, and that is the White House. I think frankly the Congress can reach agreement on this and I think we ought to. I urge the majority reaching consensus in the Congress and, as a separate and coequal branch of government, sending our judgment down to the White House. Obviously the White House then has its full prerogatives to exercise its judgment. But we have waited far too long on that, I believe.

The last question or the last inquiry I would make of the whip is there has

been a lot of talk, of course, about the middle-class tax cuts. I think both sides of the aisle feel very strongly that we want to make sure the middle-class tax cuts continue. In particular, we have focused on the child tax credit, as the gentleman knows. There has been a lot of discussion back and forth. That has been held up for a very long period of time, particularly extension to those families making up to \$26,000. There are some 200,000 service families, as the gentleman knows, that are not qualifying for the child tax credit at this point in time.

Can the gentleman tell us whether or not he has any optimism about that conference report coming back to us anytime soon?

Mr. BLUNT. Mr. Speaker, I would say in response to that previous comment that I am not sure that our friends on the other side of this building are as united yet as perhaps our Members are who represent the House side on the transportation number. We want to move forward there.

Chairman THOMAS tells me that he sees good work happening on the family tax package that the gentleman mentioned, the marriage penalty relief, the \$1,000 child credit, the 10 percent tax bracket, that new tax bracket we put in place. We think it is very likely that we could have that extension on the floor next week.

Mr. HOYER. I thank the gentleman for that information.

ADJOURNMENT TO FRIDAY, SEPTEMBER 17, 2004, AND ADJOURNMENT FROM FRIDAY, SEPTEMBER 17, 2004 TO TUESDAY, SEPTEMBER 21, 2004

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Friday, September 17, 2004; and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, September 21, for morning hour debates.

The SPEAKER pro tempore (Mr. KLINE). Is there objection to the request of the gentleman from Missouri?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON THURSDAY, SEPTEMBER 23, 2004, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HIS EXCELLENCY AYAD ALLAWI, INTERIM PRIME MINISTER OF THE REPUBLIC OF IRAQ

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday, September 23, 2004, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Ayad Allawi, Interim Prime Minister of the Republic of Iraq.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HOURLY MEETING ON THURSDAY, SEPTEMBER 23, 2004

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Wednesday, September 22, 2004, it adjourn to meet at 9 a.m. on Thursday, September 23.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CONGRESS BESTS LOBBYISTS ONCE AGAIN IN CHARITY BASKETBALL GAME

(Mr. QUINN asked and was given permission to address the House for 1 minute.)

Mr. QUINN. Mr. Speaker, I am here to report to the House and to the general public the results of last evening's sixth annual benefit basketball game between Members of Congress and the lobbying community here in Washington. I am here also to report that the outcome was a 58-41 victory for the Members of Congress.

I would like to mention the players, our bipartisan team of JEFF FLAKE, VITO FOSSELLA, HAROLD FORD, KENNY HULSHOF, DEVIN NUNES, TODD PLATTS, TIM RYAN, JOHN SHIMKUS, and TODD TIAHRT.

In the past 6 years I am also happy to report that the House Members have a 5-1 record after last night's game, but to report after 6 years that the game has raised over \$150,000 for charities here in Washington, D.C., particularly the Hortons Kids charity that services inner city young children.

Special thanks also, Mr. Speaker, to Mr. Paul Miller and others at the American League of Lobbyists, who worked tirelessly during the year to put the game together. As we go forward in the next year, hopefully we can do bigger and better things.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair